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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/811,339

03/26/2004

Marvin Joseph Houser

03-0040

1577

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7590

03/01/2007

FREUDENBERG-NOK GENERAL PARTNERSHIP
LEGAL DEPARTMENT
47690 EAST ANCHOR COURT
PLYMOUTH, MI 48170-2455

EXAMINER

PERRIN, JOSEPH L

ART UNIT

PAPER NUMBER

1746

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
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3 MONTHS

03/01/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/01/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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rrw@fngp.com
fngp@hdp.com

Office Action Summary

Application No.

10/811,339

Applicant(s)

HOUSER ET AL.

Examiner

Joseph L. Perrin, Ph.D.

Art Unit

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 10-13 and 19-21 is/are rejected.
- 7) ☒ Claim(s) 5-9 and 14-18 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Information Disclosure Statement

1. It is noted that an Information Disclosure Statement under 37 CFR 1.97 for the present application has not been received by the Office. If Applicant believes this to be in error, Applicant is urged to submit documentation supporting a proper filing of any previously submitted information disclosure statements in order to have such disclosures considered by the Office.

Drawings

2. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 10-12 & 19-21 are rejected under 35 U.S.C. 102(b) as being anticipated by WO 00/68488 to MAYER *et al.* ("MAYER"; National Stage entry U.S. Patent No. 6,574,997 used as unofficial translation and cited hereinafter). Re claim 1, MAYER discloses a washing machine comprising a cabinet (6) having a base (5), a tub assembly (2) including an outer tub and inner rotary spin basket connected to drive assembly (3), a support frame (16) connected to the tub, an isolation damper assembly (11) resiliently coupled between the support frame and cabinet, the damper assembly having a first member (22) "adapted for" connection to the base, a second member (18) "adapted for" connection to the support frame, and an isolator (19) disposed between the first and second member (see entire document, for instance, Figures 1-5 and relative associated text). Re claims 2-3, MAYER discloses the damper material made of elastomeric polyurethane (see col. 3, lines 54-56). Re claims 4 & 10-11, MAYER discloses the first member (22) having a first segment (horizontal portion) connecting to the cabinet, a second segment (40) extending transversely, the second segment (40) extending into the isolator, a third member (24/34) coupled to the first member so as to exert a compressive load, and the isolator having a groove (28) receiving a rim portion (26) of the second member therein (see Figure 5). Re claims 12 & 19-20, MAYER further discloses a relatively fixed configuration of the isolator which reads on being "operable to inhibit rotation of said outer tub relative to said cabinet and bias said outer

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tub to a centered position within said cabinet". Accordingly, recitation of MAYER reads on applicant's claimed invention.

5. Claims 1, 4, 10-13 & 21 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,108,465 to BOCHAN. Re claim 1, BOCHAN discloses a washing machine comprising a cabinet (2) having a base (3), a tub assembly including an outer tub (9) and inner rotary spin basket (8) connected to drive assembly (26), a support frame (54) connected to the tub, an isolation damper assembly resiliently coupled between the support frame and cabinet, the damper assembly having a first member (49) "adapted for" connection to the base, a second member (62) "adapted for" connection to the support frame, and an isolator (50) disposed between the first and second member (see entire document, for instance, Figures 2-3 and relative associated text). Re claims 4 & 10-11, BOCHAN discloses the first member having a first segment connecting to the cabinet, a second segment (60) extending transversely, the second segment (60) extending into the isolator (50), a third member (66) coupled to the first member so as to exert a compressive load, and the isolator having a groove receiving a rim portion of the second member therein (see Figure 3). Re claims 12-13, BOCHAN discloses the claimed washing machine with the isolator (66) readable thereon. Re claim 13, BOCHAN discloses a lower case member (50) mounted to the cabinet, an upper case member (66) spaced from and connected to the lower case member, and a mounting ring (58) secured to the support frame and engaging the isolator which is

disposed between the lower and upper case members. Accordingly, recitation of BOCHAN reads on applicant's claimed invention.

Allowable Subject Matter

6. Claims 5-9 & 14-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: U.S. Patent No. 5,946,947 to LEE *et al.*, U.S. Patent No. 4,502,303 to WASEMANN, U.S. Patent No. 4,475,363 to THOMSON, U.S. Patent No. 4,468,938 to MCMILLAN, U.S. Patent No. 4,250,724 to ALTNAU, U.S. Patent No. 3,475,928 to WASEMANN, U.S. Patent No. 3,285,419 to SMITH, U.S. Patent No. 3,277,742 to JACOBSEN, U.S. Patent No. 3,197,983 to ILMER or U.S. Patent No. 2,969,172 to PERCY, each disclosing conventional washing machine isolator damper assemblies operable to inhibit rotation of the tub and bias the tub to the center position of the cabinet. DE 4413069, which discloses a washing machine isolator damper material conventionally made from microcellular polyurethane.

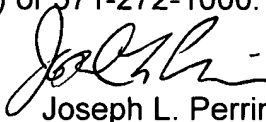
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph L. Perrin, Ph.D. whose telephone number is

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(571)272-1305. The examiner can normally be reached on M-F 7:00-4:30, except alternate Fridays.

9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael E. Barr can be reached on (571)272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Joseph L. Perrin, Ph.D.
Primary Examiner
Art Unit 1746

JLP